

Senate File 89 - Introduced

SENATE FILE 89

BY ZAUN

A BILL FOR

1 An Act relating to the disposition of fines collected under
2 city and county automated traffic law enforcement programs
3 and providing for the deposit of certain revenues into the
4 road use tax fund.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 331.307, Code 2015, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 14. *a.* Civil fines collected by a county
4 from the use of an automated traffic law enforcement system
5 shall be allocated as follows:

6 (1) The amount necessary to satisfy contractual obligations
7 of the county relating to the use of automated traffic law
8 enforcement systems shall be retained by the county for that
9 purpose.

10 (2) Moneys in excess of the amount necessary for the purpose
11 specified in subparagraph (1) shall be forwarded monthly to the
12 treasurer of state for deposit in the road use tax fund.

13 *b.* For purposes of this subsection, "*automated traffic law*
14 *enforcement system*" means a device with one or more sensors
15 working in conjunction with a traffic control signal or device
16 or a speed-measuring device to produce recorded images of
17 vehicles being operated in violation of traffic or speed laws.

18 Sec. 2. Section 364.3, subsection 2, Code 2015, is amended
19 to read as follows:

20 2. For a violation of an ordinance, a city shall not
21 provide a penalty in excess of the maximum fine and term of
22 imprisonment for a simple misdemeanor under section 903.1,
23 subsection 1, paragraph "a". An Except as otherwise provided
24 in this section, an amount equal to ten percent of all
25 finest collected by cities shall be deposited in the account
26 established in section 602.8108. However, one

27 a. One hundred percent of all fines collected by a city
28 pursuant to section 321.236, subsection 1, shall be retained
29 by the city.

30 b. Civil fines collected by a city from the use of an
31 automated traffic law enforcement system shall be allocated as
32 follows:

33 (1) The amount necessary to satisfy contractual obligations
34 of the city relating to the use of automated traffic law
35 enforcement systems shall be retained by the city for that

1 purpose.

2 (2) Moneys in excess of the amount necessary for the purpose
3 specified in subparagraph (1) shall be forwarded monthly to the
4 treasurer of state for deposit in the road use tax fund.

(3) For purposes of this subsection, "automated traffic law enforcement system" means a device with one or more sensors working in conjunction with a traffic control signal or device or a speed-measuring device to produce recorded images of vehicles being operated in violation of traffic or speed laws.

10 c. The criminal penalty surcharge required by section 911.1
11 shall be added to a city fine and is not a part of the city's
12 penalty.

EXPLANATION

14 The inclusion of this explanation does not constitute agreement with
15 the explanation's substance by the members of the general assembly.

16 This bill directs that, from the civil fines collected
17 by a city or county from the use of automated traffic law
18 enforcement systems, the amount necessary to satisfy the
19 contractual obligations relating to the use of the systems
20 shall be retained by the city or county. Moneys in excess of
21 that amount are to be forwarded monthly to the treasurer of
22 state for deposit in the road use tax fund.

23 The bill defines "automated traffic law enforcement system"
24 as a device working in conjunction with a traffic control
25 signal or device or a speed-measuring device to produce
26 recorded images of vehicles being operated in violation of
27 traffic or speed laws.